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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 1395 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

VADODARA MUNICIPAL CORPORATION

Versus

CHANDRASINH SAMANTSINH RAJPUT

Appearance:

MR PRANAV G DESAI for Petitioner
None present for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 20/12/1999

ORAL JUDGEMENT

#. Heard the learned counsel for the parties.

#. If it would have been necessary for the court to
decide the matter on merits, I have my own reservation on

the merits of the impugned order passed by the first appellate court. Be that as it may, this civil revision application has arisen from the suit of 1985. The suit is still stated to be pending.

#. The first appellate court, under the impugned order, directed the Vadodara Municipal Corporation, Vadodara, the petitioner herein not to demolish the compound wall in dispute till the final disposal of the suit. This interim injunction continues in fact and substance till date and in case it continues for few months more it will not result in causing any irreparable injury to the petitioner.

#. In the result, interest of justice will be met in case the learned trial court is given direction to dispose of the suit finally within a time bound programme. Accordingly it is hereby ordered that the learned trial court shall decide the Civil Suit No.1403 of 1985 within a period of four months from the date of receipt of writ or certified copy thereof, whichever is earlier. Compliance of this order to be reported to this court. The Civil Revision Application and Rule stands disposed of accordingly with no order as to costs.

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(sunil)